

United States Senate

WASHINGTON, DC 20510

October 23, 2019

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Barr:

This letter is a request under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552.

On August 12, 2019, a whistleblower alleged that he had received information from multiple U.S. government officials that President Trump was "using the power of his office to solicit interference from a foreign country in the 2020 U.S. election."¹ Specifically, on a July 25, 2019 phone call, President Trump urged Ukrainian President Volodymyr Zelensky to investigate the family of one of Trump's political opponents, just one week after ordering the freeze of military aid to Ukraine. You were named in the whistleblower's complaint as someone who "appears to be involved."²

Since the whistleblower's complaint became public, President Trump has publicly asked China to investigate the family of one of his domestic political opponents.³ Two associates of Rudy Giuliani, the President's personal lawyer, have been indicted and arrested on charges that they funneled foreign money to U.S. politicians while trying to influence U.S.-Ukraine relations.⁴ It has also been reported that, during an Oval Office meeting with President Trump and Secretary of State Rex Tillerson in 2017, Giuliani pressed for help in securing the release of his jailed client, an Iranian-Turkish gold trader named Reza Zarrab, as part of a potential prisoner swap with Turkey.⁵

These factual revelations raise serious concerns about the Justice Department's involvement in politically-motivated investigations, at the behest of the White House and Rudy Giuliani.

¹ Unclassified Whistleblower Complaint (Aug. 12, 2019) at 1, available at <https://apps.npr.org/documents/document.html?id=6430359-Whistleblower-Complaint>.

² *Id.*

³ "Trump Publicly Urges China to Investigate the Bidens," N.Y. Times (Oct. 3, 2019), <https://www.nytimes.com/2019/10/03/us/politics/trump-china-bidens.html>.

⁴ "Two Business Associates of Trump's Personal Attorney Giuliani Have Been Arrested on Campaign Finance Charges," Washington Post (Oct. 10, 2019), https://www.washingtonpost.com/politics/two-business-associates-of-trumps-personal-lawyer-giuliani-have-been-arrested-and-are-in-custody/2019/10/10/9f9c101a-eb63-11e9-9306-47cb0324fd44_story.html.

⁵ "Giuliani Pressed for Turkish Prisoner Swap in Oval Office Meeting," N.Y. Times (Oct. 10, 2019), <https://www.nytimes.com/2019/10/10/us/politics/giuliani-trump-rex-tillerson.html>.

Therefore, we submit a request for records seeking information about the White House's attempts to interfere with federal law enforcement to pursue politically beneficial outcomes.

As current members of the U.S. Senate, we have constitutional authority to conduct oversight of the executive branch. This request does not mean or suggest that we are not congressionally entitled to documents from the administration. However, in light of the administration's refusal to cooperate with multiple congressional requests, we submit this FOIA request to secure access to documents and information for the benefit of the American people. Accordingly, we seek the following records, to the full extent permitted by law:

Records Requested

All memoranda, correspondence, including email or other correspondence, or memorialized conversations, with, to, or from Attorney General William Barr, Deputy Attorney General Jeremy Rosen, or the immediate office of the attorney general, from February 14, 2019 to present, which contain any of the following words or phrases:

- "Benczkowski" & "DiGenova"
- "Benczkowski" & "Giuliani"
- "Benczkowski" & "Iran"
- "Benczkowski" & "Toensing"
- "Benczkowski" & "Turkey"
- "Benczkowski" & "Ukraine"
- "Benczkowski" & "Zarab"
- "Benczkowski" & "Zarrab"
- "Bill Taylor"
- "Brady Toensing"
- "Brafman"
- "Burisma"
- "Crowdstrike"
- "DiGenova"
- "Duffey"
- "Giuliani"
- "Kislin"
- "Parnas"
- "Erdoğan"
- "Erdogan"
- "Fiona Hill"
- "Firtash"
- "Fraud Guarantee"
- "Fruman"
- "Furman"
- "Halkbank"
- "Jayanti"
- "Kent"
- "Kurdish"
- "Kurds"
- "Laura Cooper"
- "Lutsenko"
- "McKinley"
- "Morrison"
- "Mnuchin" & "Giuliani"
- "Mnuchin" & "Halkbank"
- "Mnuchin" & "Turkey"
- "Mnuchin" & "Turkey"
- "Mnuchin" & "Ukraine"
- "Mukasey"
- "Perry" & "Ukraine"
- "Pompeo" & "Turkey"
- "Pompeo" & "Ukraine"
- "Poroshenko"
- "Pruss"
- "quid pro quo"
- "recusal"
- "recuse"
- "Reeker"
- "Rudy"
- "Shokin"
- "Sondland"
- "Taylor"
- "Tillerson" & "Giuliani"
- "Tillerson" & "Iran"
- "Tillerson" & "Turkey"
- "Tillerson" & "Ukraine"
- "Tim Morrison"

- "Toensing"
- "TriGlobal Strategic Ventures"
- "TriGlobal"
- "Victoria Toensing"
- "Vindman"
- "Volker"
- "William Taylor"
- "Xi"
- "Yermak"
- "Yovanovitch"
- "Zarab"
- "Zarrab"
- "Zelensky"
- "Zelenskyy"
- "Zlochevsky"

All other documents with, to, or from Attorney General William Barr, Deputy Attorney General Jeremy Rosen, or the immediate office of the attorney general, from February 14, 2019 to present, relating to the following topics:

- All documents related to interactions between the Justice Department and the government of China, with regards to any potential political opponents of President Trump in 2020.
- All documents related to interactions between the Justice Department and the government of Ukraine, with regards to any potential political opponents of President Trump in 2020.
- All documents created or modified since February 14, 2019 pertaining to any requests from the White House, whether directly or indirectly, to investigate companies associated with Hunter Biden.

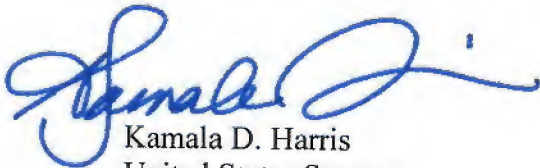
Thank you for your attention to this request. As provided in 5 U.S.C. § 552(a)(6)(E)(ii)(I), I look forward to your response within ten business days.

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 36 C.F.R. § 1250.56(a)(1)-(2), we request a waiver of all fees associated with processing this records request. Disclosure of the records we request is in the public interest because, for the reasons stated above, they are likely to contribute significantly to public understanding of government operations and activities.

Disclosure of these records is in no way associated with any commercial interest of ours. Rather, we are requesting these documents to fulfill our constitutional duties as Senators, which require us to understand DOJ operations and activities. We are therefore entitled to a fee waiver.


Sincerely,



Kamala D. Harris
United States Senator



Sheldon Whitehouse
United States Senator



Richard Blumenthal
United States Senator

CC: Douglas Hibbard, Chief, Initial Request Staff, Office of Information Policy, Department of Justice